

WESIERSKI & ZUREK LLP
LAWYERS
29 ORCHARD ROAD
LAKE FOREST, CALIFORNIA 92630
(949) 975-1000

1 Christopher P. Wesierski [Bar No. 086736]
cweisierski@wzllp.com
2 Michelle R. Prescott [Bar No. 262638]
mprescott@wzllp.com
3 WESIERSKI & ZUREK LLP
29 Orchard Road
4 Lake Forest, California 92630
Telephone: (949) 975-1000
5 Facsimile: (949) 756-0517

6 Attorneys for Defendant, COUNTY OF
SAN BERNARDINO and SAMUEL
7 FULLER

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION
10

11 GALE SOSTEK; and HERB SOSTEK,
12 Plaintiffs,
13 vs.
14 COUNTY OF SAN BERNARDINO;
and DOES 1-10, inclusive,
15 Defendants.
16

Case No. 5:23-cv-02236-MRA (MRWx)

DEFENDANTS' WITNESS LIST

Trial Date: January 28, 2025

17 Defendant, COUNTY OF SAN BERNARDINO and SAMUEL FULLER
18 hereby submit their proposed witness list.
19

20	21	22	23	24
Witness's Name*, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Gale Sostek, Plaintiff	Will testify regarding her damages and relationship with the decedent		1 hour	
Herbert Sostek, Plaintiff	Will testify regarding his damages and relationship with the decedent		1 hour	
Deputy Samuel	Will testify regarding his	2.00		

WESIERSKI & ZUREK LLP
LAWYERS
29 ORCHARD ROAD
LAKE FOREST, CALIFORNIA 92630
(949) 975-1000

Witness's Name*, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Fuller, Defendant	training, the facts and circumstances of the officer involved shooting and facts and circumstances leading up to the incident. ¹			
Sgt. John Everman	Will testify about what he saw at the time of the incident, and the facts and circumstances leading up to the shooting.	2.00		
Ed Flosi, Defense Retained Expert	Police practices expert. Will testify about the policy and procedures of SBS and POST, and his analysis of the incident.	3.00		
Chanikarn Lopez, M.D. Forensic Pathologist	Will testify regarding her autopsy of Kyle Sostek.	1.50		
Deputy David Bush	Will testify regarding his presence at the incident scene, securing the scene, taking photographs of the scene and collecting evidence.	.50		
Detective Derek Pedersen	Assigned to Big Bear Station. Will testify regarding briefing	.25		

¹ Deputy Fuller has relied upon his Fifth Amendment privilege not to testify about the facts and circumstances of the incident or events leading up to the incident on advise of counsel. If Deputy Fuller has a change of position. Defendant will be made available for deposition.

WESIERSKI & ZUREK LLP
LAWYERS
29 ORCHARD ROAD
LAKE FOREST, CALIFORNIA 92630
(949) 975-1000

1	Witness's Name*,	Summary of Testimony /	Direct	Cross	Dates of
2	Title, Affiliation	Why Testimony Is	Exam	Exam	Testimony
3	(If Relevant)	Unique	(Hours)	(Hours)	
4		concerning Kyle Sostek.			
5	Captain Kelly	Assigned to Big Bear	.25		
6	Craig	Station. Will testify			
7		regarding briefing			
8		concerning Kyle Sostek.			
9	Sergeant John	Part of the homicide detail	.50		
10	Woods*	and assigned the			
11		investigating officers.			
12	Detective	Part of the homicide detail.	.50		
13	Malcolm Page*	Performed the officer			
14		processing, vehicle			
15		processing of Decedent's			
16		car, and involved in			
17		investigation of the			
18		incident.			
19	Detective Travis	Part of the homicide detail.	.50		
20	Gagne*	Performed the crime scene			
21		investigation.			
22	Detective Justin	Part of the homicide detail.	.50		
23	Carty*	Performed officer			
24		processing.			
25	Detective Eric	Part of homicide detail.	.50		
26	Ogaz*	Assigned to assist in			
27		processing the crime scene.			
28	Crime Scene	Assisted in the crime scene	.50		
	Investigator	investigation. Took overall			
	Andrea Guerrero	midrange and close up			
		photogs of the scene, and			
		documented shoe			
		impressions. Booked the			
		GSR into evidence.			

WESIERSKI & ZUREK LLP
LAWYERS
29 ORCHARD ROAD
LAKE FOREST, CALIFORNIA 92630
(949) 975-1000

1	Witness's Name*,	Summary of Testimony /	Direct	Cross	
2	Title, Affiliation	Why Testimony Is	Exam	Exam	Dates of
3	(If Relevant)	Unique	(Hours)	(Hours)	Testimony
4	Crime Scene	Photographed Deputy	.50		
5	Investigator Mike	Fuller, and Sgt. Everman,			
6	Russ	examined Fuller's duty			
7		handgun and photographed			
8		it, collected evidence			
9	Lauren Torres –	Processed the GPS data of	.25		
10	Crime Analyst	the scene location			
11	Fire Department –	Was present at the incident	.50		
12	Captain/Paramedic	location and rendered			
13	Mitch	medial aid to Kyle Sostek.			
14	Hollenbaugh				
15	Fire Department –	Was present at the incident	.50		
16	Engineer Jon	location and rendered			
17	Bidwell*	medial aid to Kyle Sostek.			
18	Fire Department –	Was present at the incident	.50		
19	Paramedic	location and rendered			
20	Brittania Huether*	medial aid to Kyle Sostek.			
21	Ambulance –	Was present at the incident	.25		
22	Tyler Guyon*	location. Will have			
23		information about when			
24		medical was called.			
25	Ambulance –	Was present at the incident	.25		
26	Cameron Dupre*	location. Will have			
27		information about when			
		medical was called.			
	Diane Bilodeau*	Kyle Sostek's girlfriend.	.25		
		Has information about			
		Kyle Sostek's prior			
		employment, and medical			
		condition.			

Witness's Name*, Title, Affiliation (If Relevant)	Summary of Testimony / Why Testimony Is Unique	Direct Exam (Hours)	Cross Exam (Hours)	Dates of Testimony
Kyle Gober*	Broadcast information about the identity of the suspect, Kyle Sostek	.25		

*Indicates that witness will be called only if the need arises.

DATED: December 10, 2024

WESIERSKI & ZUREK LLP

Christopher P. Wesierski

By:

CHRISTOPHER P. WESIERSKI
Attorneys for Defendant, COUNTY OF
SAN BERNARDINO and SAMUEL
FULLER

WESIERSKI & ZUREK LLP

LAWYERS
29 ORCHARD ROAD
LAKE FOREST, CALIFORNIA 92630
(949) 975-1000